



W.P(MD)No.17175 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD)No.17175 of 2021
and
W.M.P(MD)Nos.14064, 14065 & 14066 of 2021**

A.Palanivelu

... Petitioner

VS.

- 1.The Chief Election Commissioner,
Tamil Nadu Election Commission,
Chennai.
 - 2.The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai.
 - 3.The District Election Officer cum
District Collector,
Pudukkottai District,
Pudukkottai.
 - 4.The Election Officer cum Block Development Officer,
Ponnamaravathy Panchayat Union,
Ponnamaravathy,
Pudukkottai District.
- ... Respondents



W.P(MD)No.17175 of 2021

WEB C PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the Principal Secretary to Government, Rural Development and Panchayat Raj Department, Secretariat, Chennai, the second respondent herein in G.O.MS.No.103 (Rural Development and Panchayat Raj (PR-1) Department) dated 16.09.2016 and the consequent election notification dated 15.09.2021 issued by the Election Officer cum Block Development Officer, Ponnamaravathy Panchayat Union, Ponnamaravathy, Pudukkottai District fourth respondent herein and quash the above as being contrary to G.O.Ms.No.142, Rural Development (C.2) Department dated 07.08.1995 in so far as declaring 7 Constituencies as reserved for SC ST and Aadhi Dravida Community and consequently denotify Arasamalai Village Panchayat as reserved for SC, ST Aadhi Dravida Community as being contrary to G.O.Ms.No.142, Rural Development (C.2) Department, dated 07.08.1995 and thereby direct the respondents to notify the Arasamalai constituency as General Constituency and accept nomination from the general public eligible voters of all communities to participate in the general election for President of Arasamalai Village Panchayat constituency Ponnamaravathi Panchayat Union, Pudukkottai District for the year 2021.

For Petitioner	: Mr.M.Joseph Thatheus Jerome
For R - 1	: Mr.B.Saravanan Standing Counsel
For RR 2 to 4	: Mr.N.GA.Nataraj Government Advocate



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ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to quash the impugned order passed by the Principal Secretary to Government, Rural Development and Panchayat Raj Department, Secretariat, Chennai, the second respondent herein in G.O.MS.No.103 (Rural Development and Panchayat Raj (PR-1) Department), dated 16.09.2016 and the consequent election notification, dated 15.09.2021 issued by the Election Officer cum Block Development Officer, Ponnamaravathy Panchayat Union, Ponnamaravathy, Pudukkottai District fourth respondent herein as being contrary to G.O.Ms.No.142, Rural Development (C.2) Department dated 07.08.1995 in so far as declaring 7 Constituencies as reserved for SC ST and Aadhi Dravida Community and consequently denotify Arasamalai Village Panchayat as reserved for SC, ST Aadhi Dravida Community as being contrary to G.O.Ms.No.142, Rural Development (C.2) Department, dated 07.08.1995 and thereby direct the respondents to notify the Arasamalai constituency as General Constituency and accept nomination from the general public eligible voters of all communities to participate in the general election for President



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WEB COPY of Arasamalai Village Panchayat constituency Ponnamaravathi Panchayat Union, Pudukottai District for the year 2021.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that the relief sought for in this Writ Petition has become infructuous, since the election is already over on 09.10.2021 itself.

3. Recording the said submission, this Writ Petition is closed with liberty to the petitioner to approach the authority concerned to redress his grievance, if any. No costs. Consequently, connected Miscellaneous Petitions are closed.

[R.M.D.,J.] & [J.S.N.P.,J.]
07.09.2022

Index : Yes / No
Internet : Yes
ps



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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Chief Election Commissioner,
Tamil Nadu Election Commission,
Chennai.
- 2.The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai.
- 3.The District Election Officer cum
District Collector,
Pudukkottai District,
Pudukkottai.
- 4.The Election Officer cum Block Development Officer,
Ponnamaravathy Panchayat Union,
Ponnamaravathy,
Pudukkottai District.



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R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
W.P(MD)No.17175 of 2021**

07.09.2022